

#5



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian Leyland-Jones

Serial No.: 10/072,611

Group Art Unit: 1645

Filed: February 8, 2002

For: MULTIPLE DETERMINANTS FOR METABOLIC PHENOTYPES

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Box Sequence, P.O. Box 2327, Arlington, VA 22202	
on <u>6/7/02</u>	<u>Christina m Sweeney</u>
Date	Signature
<u>Christina m Sweeney</u>	
Typed or printed name of person signing certificate	

TRANSMITTAL OF SEQUENCE LISTING  
IN REPLY TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner for Patents  
Box Sequence, P.O. Box 2327  
Arlington, VA 22202

Sir:

This paper is submitted in response to the Notice to File Missing Parts of Application, mailed from the Patent Office on March 12, 2002. A copy of the Notice is attached.

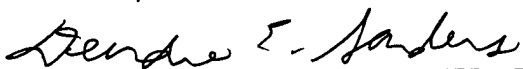
Applicant's Attorney requests an extension of time to respond to the Notice. A Petition for Extension of Time and the appropriate fees are being filed concurrently.

Transmitted herewith is a copy of the "Sequence Listing" (sheets 1/5 through 5/5) in paper form for the above-identified patent application as required by 37 C.F.R. §1.821(c) and a copy of the "Sequence Listing" in computer readable form as required

by 37 C.F.R. §1.821(e). As required by 37 C.F.R. §1.821(f), Applicant's Attorney hereby states that the content of the "Sequence Listing" in paper form and the computer readable form of the "Sequence Listing" are the same and, as required by 37 C.F.R. §1.821(g), also states that the submission includes no new matter.

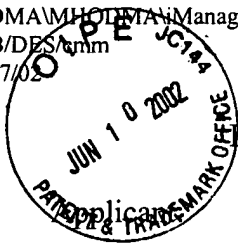
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By   
Deirdre E. Sanders  
Registration No. 42,122  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: June 7, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Brian Leyland-Jones

Application No.: 10/072,611

Group: 1645

Filed: February 8, 2002

For: MULTIPLE DETERMINANTS FOR METABOLIC PHENOTYPES

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on <u>6/7/02</u>	<u>Christina Mcweeney</u>
Date	Signature
<u>Christina Mcweeney</u>	
Typed or printed name of person signing certificate	

TRANSMITTAL OF FORMAL DRAWINGS

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Transmitted herewith are formal drawings consisting of 28 sheets, figures 1 through 29, for filing in the subject patent application.

Figure 23 is a black and white photograph.

Acceptance of the formal drawings is respectfully requested.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Deirdre E. Sanders  
Deirdre E. Sanders  
Registration No. 42,122  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

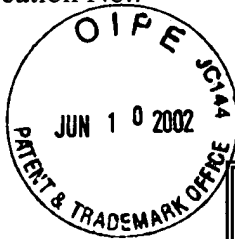
Date: June 7, 2002

T.D

✓ Smp

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian Leyland-Jones  
Application No.: 10/072,611 Group: 1645  
Filed: February 8, 2002  
For: MULTIPLE DETERMINANTS FOR METABOLIC PHENOTYPES



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on <u>6/7/02</u>	<u>Christina McSweeney</u>
Date	Signature
<u>Christina McSweeney</u>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

In reply to the Notice to File Missing Parts dated March 12, 2002, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

- ☒ **EXECUTED DECLARATION FOR PATENT APPLICATION**  
(Separate transmittal letter and postcard not required)
- ☐ **POWER OF ATTORNEY DOCUMENT**
- ☐ **GRANTED BY INVENTOR(S)**
- ☐ **GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)**  
(Separate transmittal letter and postcard not required)
- ☒ **PRELIMINARY AMENDMENT**  
(Separate transmittal letter and postcard not required)
- ☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate  
Fee calculations based on:
- ☒ Claims as originally filed
- ☐ Claims upon entry of the Preliminary Amendment filed herewith  
(Separate transmittal letter and postcard not required)
- ☒ **SURCHARGE** - surcharge fee of \$130.00  
(Separate transmittal letter and postcard not required)

06/13/2002 BSAVAS11 00000084 10072611 55.00 DP  
05 FC:215

☒ **SEQUENCE LISTING** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

☐ **SUBSTITUTE DRAWINGS**

☐ Sheets of substitute drawings consisting of Figs. 1 - ☐ are enclosed

*(Separate transmittal letter and postcard not required)*

☒ **PETITION FOR EXTENSION OF TIME**

☒ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated March 12, 2002 for one month from May 12, 2002 to June 12, 2002. The appropriate fee of \$55.00 is included in the enclosed check

☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee

☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check

*(Separate Petition for Extension of Time and postcard not required)*

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

☒ **TWO STATEMENTS CLAIMING SMALL ENTITY STATUS**

☐ Was filed on ☐

☒ Are enclosed herewith

*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1131.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

Deirdre E. Sanders  
Deirdre E. Sanders

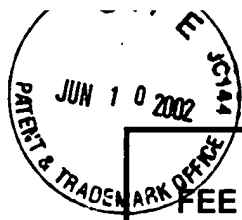
Registration No.: 42,122

Tel.: (978) 341-0036

Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: June 7, 2002



# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

## FREE TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number	3298.1001-000
Application Number	10/072,611
First Named Inventor	Brian Leyland-Jones

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	56 - 20* =	36	x \$ 18 =	\$ 648
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	9 - 3** =	6	x \$ 84 =	\$ 504
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
			Total of above Calculations =		\$ 1892
			Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =		\$ 946
			TOTAL =		\$ 946
			Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =		\$ 130
			Petition for Extension of Time Fee (37 C.F.R. 1.17) =		\$ 55
			Assignment Recordation Fee = (only when filed with application)		\$
			TOTAL =		\$ 1131

\* Reissue claims in excess of 20 and over original patent  
\*\* Reissue independent claims over original patent

1. Small entity status:

- a. ☒ Two small entity statements are enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$1131.00. ☐ Please charge \$[ ] to Deposit Account No. 08-0380.

4. ☐ Other: \_\_\_\_\_

Signature	<i>Deirdre E. Sanders</i>	Date	June 7, 2002
Submitted by Typed or Printed Name	Deirdre E. Sanders	Reg. Number	42,122

#3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/072,611	02/08/2002	Brian Leyland-Jones	3298.1001-000

021005  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 VIRGINIA ROAD  
P.O. BOX 9133  
CONCORD, MA 01742-9133



CONFIRMATION NO. 1456

## FORMALITIES LETTER



\*OC000000007625191\*

Date Mailed: 03/12/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/13/2002 BSAYAS11 00000084 10072611

FILED UNDER 37 CFR 1.53(b)

01 FC:201	370.00 OP
02 FC:202	252.00 OP
03 FC:203	324.00 OP
04 FC:205	65.00 OP

**Filing Date Granted**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1236.
  - \$648 for 36 total claims over 20.
  - \$588 for 7 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2106.**

Repln. Ref: 06/13/2002 BSAYAS11 0013302700  
DAH:080380 Name/Number:10072611  
FC: 704 \$65.00 CR

*A copy of this notice MUST be returned with the reply.*

*B. Hightwood*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## UNITED STATES PATENT AND TRADEMARK OFFICE

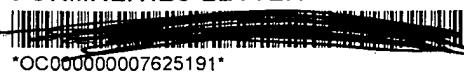
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST-NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/072,611	02/08/2002	Brian Leyland-Jones	3298.1001-000

CONFIRMATION NO. 1456

021005  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 VIRGINIA ROAD  
P.O. BOX 9133  
CONCORD, MA 01742-9133

## FORMALITIES LETTER



Date Mailed: 03/12/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

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02 FC:202	252.00 OP
03 FC:203	324.00 OP
04 FC:208	65.00 OP

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE